

REGULAR CITY COUNCIL MEETING
FEBRUARY 11, 2002

PRESENT

Gayle Bunker
Wesley Bloomfield
Bruce Curtis
Robert Droubay
Margaret Dutson
Glen Swalberg

Mayor
Council Member
Council Member
Council Member
Council Member
Council Member

ABSENT

None

ALSO PRESENT

Richard Waddingham
Neil Forster
Alan Riding
Gregory Jay Schafer
Bob Rainsdon
Janet Lindquist
Pam Lyman
Curtis Smith

City Attorney
Public Works Director
Asst. Public Works Director
City Recorder
City Resident
Sunshine Coalition
Sunshine Coalition
City Resident

Mayor Bunker called the meeting to order at 7:00 p.m. He stated that notice of the meeting time, place, and agenda had been posted at the City Building and had been provided to the Millard County Chronicle/Progress, to KNAK Radio, and to each member of the City Council, at least two days prior to the meeting. Gregory Jay Schafer, City Recorder, acted as secretary.

Council Member Wesley Bloomfield offered an invocation, following which Mayor Bunker led those in attendance in the Pledge of Allegiance.

MINUTES

The proposed minutes of a Regular City Council Meeting held January 28, 2002 were presented for consideration and approval. Mayor Bunker suggested two changes to the minutes, following which Council Member Wesley Bloomfield MOVED to approve the minutes of the Regular City Council Meeting held January 28, 2002, as corrected. The motion was SECONDED by Council Member Robert Droubay. Mayor Bunker asked if there were any comments or questions regarding the motion. There being none, he called for a vote. The motion passed unanimously.

The proposed minutes of an Emergency City Council Meeting held January 30, 2002 were presented for consideration and approval. Following review, Council Member Robert Droubay MOVED to approve the minutes of the Emergency City Council Meeting held January 30, 2002, as presented. The motion was SECONDED by Council Member Glen Swalberg. Mayor Bunker asked if there were any comments or questions regarding the motion. There being none, he called for a vote. The motion passed unanimously.

ACCOUNTS PAYABLE

The Council reviewed the accounts payable, a copy of which had been given to them two days prior to the meeting. Following review, Council Member Wesley Bloomfield MOVED to approve the accounts payable dated February 11, 2002, in the amount of \$45,684.49. The motion was SECONDED by Council Member Bruce Curtis. Mayor Bunker asked if there were any comments or questions regarding the motion. There being none, he called for a vote. The motion passed unanimously.

UNFINISHED BUSINESS

BOB RAINSDON: POSSIBLE LEASE OF RIFLE RANGE/AIRPORT PROPERTY FOR RANGE LAND

Mr. Rainsdon explained to the Council that he would like to lease a part of the Delta City property in the vicinity of the rifle range and the airport, excluding the rifle range itself, for grazing. This property is adjacent to Mr. Rainsdon's property. Mr. Rainsdon thought there were approximately 40 acres available above the rifle range and approximately 25 acres in the property near the airport, for a total of approximately 65 acres.

City Attorney Richard Waddingham advised the Council that the patent transferring title on the rifle range property to Delta City from the Bureau of Land Management states that if the property ceases to be used as a gun range, title reverts back to the United States. The only entity having authority to approve any other use of the property would be one of the United States cabinet secretaries; City Attorney Waddingham believed that it was the Secretary of the Interior.

Council Member Swalberg asked about liability which Delta City may have if the property were leased. City Attorney Waddingham advised the Council that Delta City could incorporate an indemnification clause in the lease; however, in the event an animal strayed onto the highway and a vehicle collided with it, Delta City would probably incur costs attempting to be released from legal action.

Council Member Bloomfield felt that lease of the property was not in the best interest of Delta City for reasons of the risk involved with losing the property due to terms of the patent, the liability issue, and the small amount of money which would be involved.

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Council Member Wesley Bloomfield MOVED that the Delta City property received by patent for a rifle range not be leased to Mr. Rainsdon for grazing. The motion was SECONDED by Council Member Glen Swalberg. Mayor Bunker asked if there were any comments or questions regarding the motion. There being none, he called for a vote. The motion passed unanimously.

NEW BUSINESS

PAM LYMAN / JANET LINDQUIST, SUNSHINE COALITION: SUNSHINE COALITION ACTIVITIES/PLANS UPDATE

Janet Lindquist addressed the Council and explained that she is the Community Organizer for the Sunshine Coalition. The Sunshine Coalition is also referred to as the Drug Free Community Coalition, which better explains what the program is. Ms. Lindquist explained that the Sunshine Coalition, with the assistance of Millard County School District, has received a grant for substance abuse education programs which have proven to be effective in reducing abuse of all types. It is hoped that the grant can be used in reducing substance abuse over a five year period.

The initial effort will be distributing a survey to families in Delta City and the surrounding communities for the purpose of obtaining base line data. At later dates, additional surveys will be distributed to determine what improvement has been made. The Sunshine Coalition is offering \$1.00 to Delta City for each survey returned from resident families. It is proposed that the surveys be distributed door to door and was suggested that perhaps the Delta City Youth City Council might be used to assist in this process.

Mayor Bunker and the Council thanked Ms. Lindquist and Ms. Lyman for their presentation.

Mayor Bunker stated that Curtis Smith would like to make a presentation to the Council and invited Mr. Smith to do so at this time.

Mr. Smith explained that he and his wife are emergency preparedness coordinators for the Delta 3rd Ward of the Church of Jesus Christ of Latter-day Saints. In this position, Mr. and Mrs. Smith are concerned for the safety of ward members and citizens of Delta. Mr. Smith questioned whether, in the event of incidents such as a serious train derailment, tragic chemical spill, earthquake, terrorist attacks, etc., the city, county, or state, has in place a system to warn citizens of pending danger.

Mr. Smith proposed that the Delta City Council consider setting up a system which could be used and relied upon to warn citizens of pending danger. Mr. Smith suggested that such a system be called the early warning emergency broadcast system and be operated through the fire or police department. The system could consist of a warning siren which would alert citizens to turn to a specified radio station to obtain information regarding the type of danger and instructions from officials. Mr. Smith requested that the Council consider this type of system either for Delta City or for Millard County.

Mayor Bunker advised Mr. Smith that Millard County has an emergency program through the Sheriff's office. Public Works Director Forster stated that Forrest Roper is the Emergency Preparedness Coordinator for Millard County and Delta City is cooperating with the County emergency program in listing the City mobile radio system for use in an emergency situation. Public Works Director Forster felt that Mr. Smith's proposal is an excellent idea due to the fact that he does not believe the Millard County system includes getting information to residents.

Mr. Smith stated that he has talked with Mr. Roper and was advised that, at present, the only system for notifying residents of emergency situations is Sheriff's Department vehicles which are equipped with loud speakers.

Mayor Bunker and the Council thanked Mr. Smith for his presentation.

MAYOR GAYLE BUNKER: CONSTRUCTION OF NEW PAVILION ON SOUTH TENNIS COURT IN CITY PARK

Mayor Bunker expressed his desire to have the new pavilion on the South Tennis Court constructed and ready for use by the Fourth of July celebration this year. He has talked with the Public Works Department on the feasibility of having the pavilion ready and has talked to Howard Clayton regarding having the steam tractor ready to put under the pavilion. Mayor Bunker explained that construction of the pavilion was not in the budget for this year, but suggested that funds set aside for re-roofing the City Building could be used if we delay the roofing project until next year.

Council Member Bloomfield asked if the funds set aside for the RV dump could be utilized for construction of the pavilion. Council Member Dutson stated that she had been advised that Antelope Valley RV Park allows anyone to dump at their facility for a charge of \$5.00; in addition, Kitten Klean RV Park allows anyone to dump at their facility for \$6.00. Council Member Bloomfield proposed that the funds set aside for the RV dump be used toward construction of the pavilion. Council Member Bloomfield noted that the pavilion constructed last year needs to have the gable ends completed.

Council Member Wesley Bloomfield MOVED to proceed with construction of the pavilion on the southeast corner of the City Park and that the funds for construction be obtained from those set aside for construction of an RV dump and for re-roofing the City Building. The motion was SECONDED by Council Member Glen Swalberg. Mayor Bunker asked if there were any comments or questions regarding the motion. Council Member Bruce Curtis asked if arrangements had been made to eliminate irrigation water from accumulating on the tennis court. Public Works Director Forster stated that they will either construct a berm or a concrete A-wall to keep the water completely off of the tennis court. Mayor Bunker asked if there were any further comments or questions regarding the motion. There being none, he called for a vote. The motion passed unanimously.

Mayor Bunker asked Public Works Director Forster to discuss with the Council the proposed fencing

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to surround the steam tractor. Public Works Director Forster advised the Council that the Public Works employees have discussed a wrought iron fence surrounding the tractor and have determined that they will design and construct the fence rather than purchasing it elsewhere.

MAYOR GAYLE BUNKER: COUNCIL MEMBER ASSIGNMENTS FOR 2002

Mayor Bunker distributed copies of a list of assignments for Council Members for the coming year. The assignments were as follows:

Fire Department/Fire District	Bruce Curtis
Library/Library Board	Glen Swalberg
Youth Council	Margaret Dutson
Airport	Glen Swalberg
Planning & Zoning	Rob Droubay
Irrigation	Wes Bloomfield
Water/Sewer	Wes Bloomfield
Streets	Wes Bloomfield
Parks	Gayle Bunker
Economic Development	Rob Droubay/Bruce Curtis
Board of Adjustment	Rob Droubay
Celebrations	Margaret Dutson
Beautification	Margaret Dutson
City Hall	Gayle Bunker

Following discussion, Council Member Robert Droubay MOVED to approve the Council Member Assignments for 2002 as presented by Mayor Bunker. The motion was SECONDED by Council Member Bruce Curtis. Mayor Bunker asked if there were any comments or questions regarding the motion. There being none, he called for a vote. The motion passed unanimously.

MAYOR GAYLE BUNKER: APPOINTMENT OF MEMBERS TO PLANNING & ZONING COMMISSION

Mayor Bunker requested approval to appoint Phil Sabey as Chairman of the Planning & Zoning Commission replacing Pauline Warner, who has served for 11 years. In addition, Mayor Bunker requested approval to appoint Brent Berkley as a member of the Planning & Zoning Commission. It will be necessary to appoint one additional member in order to have a fully staffed Planning & Zoning Commission, which will be done at the next meeting.

Council Member Bruce Curtis MOVED to appoint Phil Sabey as Chairman and Brent Berkley as a member of the Planning & Zoning Commission. The motion was SECONDED by Council Member Wesley Bloomfield. Mayor Bunker asked if there were any comments or questions regarding the motion. There being none, he called for a vote. The motion passed unanimously.

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MAYOR GAYLE BUNKER: APPOINTMENT OF MEMBERS TO BOARD OF ADJUSTMENT

Mayor Bunker stated that he has been waiting to appoint members to the Board of Adjustment after the Planning & Zoning Commission is completely staffed so he does not have any names to present for approval at this time.

Council Member Glen Swalberg MOVED to table appointment of members to the Board of Adjustment until the next meeting. The motion was SECONDED by Council Member Rob Droubay. Mayor Bunker asked if there were any comments or questions regarding the motion. There being none, he called for a vote. The motion passed unanimously.

CITY ATTORNEY RICHARD WADDINGHAM: DISCLOSURE STATEMENTS FOR COUNCIL MEMBERS

City Attorney Richard Waddingham distributed disclosure forms to be completed and signed by Council Members. He explained that, in the event Council Members have a potential area of conflict of interest in city business, it needs to be indicated on the disclosure statement. The forms can be completed and filed with Mayor Bunker.

MAYOR GAYLE BUNKER: POLICY REGARDING EMPLOYEE GIFTING OF LEAVE TIME

Mayor Bunker noted that Council Members received a memorandum in their packets regarding this item and asked if there were any comments or questions regarding the information contained therein. Council Members felt that, if employees had time available which they wanted to gift to other employees, it should be allowed.

Council Member Wesley Bloomfield MOVED to approve the gifting of leave time, on a voluntary basis, for the employee identified in the Memorandum dated February 1, 2002, also allowing employees to gift any approved leave time to another employee, on a voluntary basis, provided there be a signed document requesting that leave time be transferred to another employee. The motion was SECONDED by Council Member Rob Droubay. Mayor Bunker asked if there were any comments or questions regarding the motion. Council Member Droubay asked if there will be a policy written on this matter. City Attorney Waddingham was instructed to draft a policy to be approved at the next meeting. Mayor Bunker asked if there was any further discussion, there being none, he called for a vote. The motion passed unanimously.

OTHER BUSINESS

Mayor Bunker noted the Chamber of Commerce banner across Main Street advertising the Snow Goose Festival. He stated that the banner cost the Chamber of Commerce approximately \$1,000 and they have asked Delta City to contribute \$100 towards purchase of the banner. Mayor Bunker suggested that the funds could be taken from the Miscellaneous Contributions in the Mayor &

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Council budget. Council Member Wesley Bloomfield MOVED to approve expenditure of \$150 to the Chamber of Commerce for the purchase of a Snow Goose Festival banner valued at approximately \$1,000. The motion was SECONDED by Council Member Glen Swalberg. It was determined that this expenditure was made for fair value in goods, whereby Delta City will acquire a property interest in said banner. Mayor Bunker asked if there were any comments or questions regarding the motion. There being none, he called for a vote. The motion passed unanimously.

Mayor Bunker asked Public Works Director Forster to advise the Council what work is being done on street lighting. Public Works Director Forster stated that he has received several on-going complaints about street lights not working. He and Mayor Bunker have discussed the matter and determined that the Public Works Department will put street lighting on a regular maintenance schedule and assign Public Works employees to survey and make notes of any problems with street lights. A list of street lighting problems has been completed for this month and it will be forwarded to Utah Power for repairs.

Mayor Bunker stated that he had received a complaint regarding non-operational automobiles being parked near Delta Manor Apartments. City Attorney Waddingham advised the Council that there is an ordinance requiring that automobiles be registered if parked on city streets.

Mayor Bunker advised the Council that he has been asked to serve on a school district committee responsible for selecting a site for and designing a new district office. The primary location being considered is east of the high school baseball fields. Mayor Bunker asked the Council if there were any concerns with that location for a new school district office. The school district will make contact with all residents of the area to make certain their concerns are considered.

Mayor Bunker suggested that the Council wait to see if the school district will deed the existing district office property to the City.

Council Member Margaret Dutson stated that several individuals had approached her asking if they could obtain one of the Olympic flags being displayed on Main Street after the Olympics are over and the flags are no longer being used. City Recorder Gregory Jay Schafer advised the Council that the Delta City office is maintaining a list of individuals interested in purchasing the flags when they are no longer being used. There was concern regarding more individuals wanting to purchase the flags than we have flags available. Mayor Bunker suggested that a decision on how to distribute the

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flags be made when the flags become available and we know how many individuals have requested the opportunity to purchase the flags.

Council Member Dutson requested that the property on the north side of Main Street at the Highway 6 junction be added to the list of property which needs to be cleaned up. She has discussed the matter with the property owner, Rhinehart Oil Company. She also asked that the property at approximately 50 West 300 South, where there are numerous demolition derby cars, be added to the list on which City Attorney Waddingham is taking action.

Council Member Dutson asked Mayor Bunker if he had made any progress in requesting an additional cross walk on Main Street. Mayor Bunker stated that he had attempted to make contact with UDOT but was unsuccessful. He will continue attempting to contact UDOT.

Council Member Dutson asked about intersections where there are no "stop" or "yield" signs. Public Works Director Forster advised the Council on street work and sign posting which is scheduled to be done as soon as weather conditions allow.

Council Member Bloomfield suggested that Roseanne Young and Brent Berkley be appointed to serve on the Library Board. He also advised Council Member Glen Swalberg that Jane Beckwith will need to be replaced in June, 2002. Council Member Wesley Bloomfield MOVED to appoint Roseanne Young and Brent Berkley as members of the Library Board. The motion was SECONDED by Council Member Glen Swalberg. Mayor Bunker asked if there were any comments or questions regarding the motion. Council Member Rob Droubay asked if appointment to the library board needs to be an agenda item in order to take action on the matter. City Attorney Waddingham suggested that the Council take action to appoint the board members and place it as an agenda item at the next meeting for ratification. Mayor Bunker asked if there were any additional comments or questions regarding the motion. There being none, he called for a vote. The motion passed unanimously.

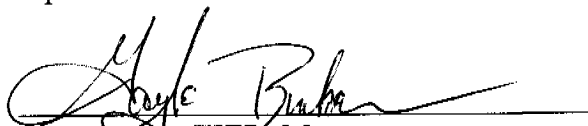
Mayor Bunker asked if there were any comments, questions, or other items to be discussed. There being none, Council Member Wesley Bloomfield MOVED to adjourn the meeting. The motion was SECONDED by Council Member Glen Swalberg. Mayor Bunker asked if there were any comments or questions regarding the motion. There being none, he called for a vote. The motion passed

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unanimously.

Mayor Bunker declared the meeting adjourned at 8:30 p.m.


GAYLE BUNKER, Mayor


GREGORY JAY SCHAFER, City Recorder

MINUTES APPROVED: RCCM 02-25-02

